

Oxford Democrat.

No. 13, Vol. 6, New Series.

Paris, Maine, Tuesday, August 5, 1846.

Old Series. No. 22, Vol. 15.

OXFORD DEMOCRAT,

PUBLISHED EVERY TUESDAY, BY

G. W. GILLET.

EDITOR AND PROPRIETOR.

TERMS:—One Dollar and Fifty Cents in advance. ADVERTISEMENTS inserted on reasonable terms; the Proprietor not being accountable for any error beyond the amount charged for the advertisement. A reasonable deduction will be made for cash in advance.

Book and Job Printing

EXECUTED WITH NEATNESS AND DESPATCH.

Legislature of Maine.

Debate in the House of Representatives, on Tuesday, the 21st inst., on the election of United States Senator.

Mr. Paine of Bangor introduced the following order:—

Ordered, That a Committee be raised to inquire whether the votes of the House on Thursday the 16th inst. for a Senator of this State in the Congress of the United States for six years from the 4th of March next, were correctly sorted, counted and reported; with power to send for persons and papers.

Mr. Paine said he had presented the order upon written statements of members of the House relative to their own votes. One member declared that on the first ballot he gave his vote for Wm. P. Fessenden, and that no such vote had been returned by the Committee. It was also stated by 53 members that, on the first balloting, they gave their votes for George Evans, but only 52 votes were returned by the Committee. Immediately after taking the first ballot the House was returned, and there were 148 members reported present. 147 was the probable number present, but the Committee made a report of but 144 ballots. In regard to the second ballot, 54 members declared they voted for Mr. Evans, but the Committee reported but 53—the return of the House represented 146 members to be present, but the report of the Committee included 143. In regard to the third and last ballot, there were more numerous errors alleged. On this ballot, George Evans was reported to have received but 49 ballots, and yet 53 members of the House had made written statements that they each voted for Mr. Evans. And it was also in evidence that one vote, given for Wm. P. Fessenden, was not counted at all, or was included in those reported as having been given for another. In this ballot the return of the House, and the number of votes reported, corresponded being 145—of which 73 were necessary for a choice. Mr. Bradbury was reported to have received 77. Now if the individual statements of the members to which he had alluded, were true, then those five votes should be deducted from the number returned for him, which would prevent a choice.

Mr. Paine said that according to the statements of facts, made by members in a matter in which they could not well be mistaken, there was error in the report of each of the ballotings in the most important election which devolved upon the legislature. And it was due to the House, to the people of the State and of the United States that the correctness of the House be vindicated—that the members to which he had referred be convinced of their mistake—and that the election of the United States Senator be placed beyond a reasonable doubt.

Mr. Levensaler of Thomaston said that the order was a singular one, and proposed a novel course of action. It went upon the assumption that some of the oldest and most experienced members of the House were aware of the fact at the time the alleged errors were committed, and yet they refrained from immediately directing the attention of the House to them; but now, when a week had passed, and several members had left for their homes for the session a collection of errors was alleged, and the House was to be troubled with a Committee of investigation. According to his reading of this affair, it was but a new mode of party drilling, in which the force of the House of Representatives was desired, in order that the leaders of a certain political party might the better train their own forces. Soon after the result of the last balloting for Senator, the question was put to each member of that party—"For whom did you vote to-day, sir?"—and a paper circulated in which each one was required to declare, in writing, the name of the person for whom his secret ballot had been given. Now if this did not amount to a breach of the privilege of the members of the House, Mr. L. would like to be informed.

He said it was singular indeed if fifty three names had been appended, to one paper in so short a time, and that the result of unsolicited, independent action. The order was based on an allegation of fraud and asked for power to call for persons and papers. What papers could be called for, that were not in the possession of the House and familiar to every member? What persons was it desirable to summon? Were certain persons from out of doors to be called in here—persons who had been officious in conducting plans of action and in obtaining pledges before election with a view to defeat it? And were these the instruments to be called in, in order to browbeat recalcitrant members of a political party, and expose them to the lash of their indignant friends? He would repeat that the order involved a breach of the privileges of members of the House, and it was due to its dignity that it be resisted.

Mr. Sturdivant moved to lay the order on the table.

Mr. Hayden expressed himself surprised that there should be opposition to the order.

Mr. Otis of Hallowell saw no impropriety in

postponing the consideration of this matter for a day, but it could not certainly, be said that the circumstances called for no action on the part of the House. It was certainly one calling for solemn consideration, involving as it did the character of the House. Here was a serious charge of error. It might be possible to show that the committee were correct. But it could be proved that there were errors, by the statements of men of character—members of the House—and inquiry into the matter was denied, the case would assume a different aspect—the character of the House would be impeached, and the charge would rest against it of having attempted to stifle justice.

Mr. Levensaler remarked that he had said this was a novel mode of procedure. What were the facts? Will gentlemen pretend that the plot to defeat an election for United States Senator was not the result of a party drill and arrangement made before the election; and that this afterthought relative to a miscount grew out of the charge and dissatisfaction of the plotters? Look at the newspaper that speaks for them and see with what ferocity it assails the unknown traitors to their organization. Vengeance is denounced against them, and then nearly the whole body of the whigs is put upon the hunt to discover who were the defaulters. Mr. L. could only add, that persons who had betrayed their own friends in the first instance, would be very likely to disclaim their conduct in the second, when they knew that confession would bring upon them the retribution that was so loudly threatened. The parties on the watch having been thrown off the scent and unwilling to give it up, now call for investigation—for persons and papers. It was for the House to determine whether they should be gratified. For himself he should hold his privilege, as a member of the House, in accordance with his own volition—he should disclose for whom he had given his secret ballot, only when he chose—and no power known to the constitution and the laws could alter his determination or control his action. If there was another body than this to which any portion of the House was responsible for their conduct, it should be left to deal with its subjects without the assistance of this branch of the legislature.

Mr. Paine of Bangor denied that there had been any party drilling, or pledges made before hand in relation to this matter, so far as his information extended.

Mr. Thompson of Unity was understood to say that he heard of whigs offering a dollar a head for the names of those members of their party who had bolted the regular track.

Mr. Barnes inquired if errors could be satisfactorily pointed out, in the case of a ballot like that under consideration, what process could be instituted to the end that justice might be done?

Mr. Levensaler replied that there were various modes of procedure that might be adopted. It would depend upon the circumstances of the case. The simplest procedure would be, if at the time of election a count was questioned, to order a new ballot forthwith. But in respect to the case in hand, he regarded the object of the order to be, to find out how certain members of a certain party voted—and that was an object with which the House should have nothing to do.

Mr. Barnes replied that there was a distinction between the invasion of the secret ballot and correcting a result under it. He was understood to say that the prosecution of enquiries for the latter purpose might be conducted without accomplishing the other.

Mr. Magoun said that he supposed himself to be referred to as the person who cast the vote for Wm. P. Fessenden, given on the third ballot. He did so, but as its not being counted did not appear to affect the result and as he happened not to be in his seat, he did not take the trouble to mention the fact at the time. The House adjourned immediately, and it was not until afterwards that he attached consequence to the transaction, when he visited the lobby and obtained possession of the three votes he had thrown.

Mr. Sturdivant withdrew his motion to lay the order on the table, and Mr. Palmer of Perry moved to indefinitely postpone it.

Mr. Edgecomb of Vienna said that as the conduct of the committee that had counted the votes had been questioned, and as members of the committee were desirous of being heard, and as the present time would not admit, he would move an adjournment. The motion prevailed.

On Wednesday, the subject was resumed. Mr. Levensaler again expressed himself opposed to the order. He said it implied a charge of fraud on the part of the committee. This being the object, the proper course was for those who believed the committee to have acted wrongfully to propose their impeachment directly. After some further remarks, he called upon the committee to make statements relative to the manner of their counting the ballots.

Mr. Davis of Stow, (chairman of the committee) said that on the first ballot, after receiving the votes of the House, the committee repaired to lobby No. 11, where it was proposed by a member of the committee, (Mr. Keen of Augusta) that each member of the committee should count the votes received by him, and make return of the number. This recommendation was adopted. Accordingly the same gentleman who had made the proposition had put down the names of each of the candidates voted for and under them placed the numbers as returned by the several members of the committee. When the number of the ballots given were all in, each gentleman recounted the votes he had received, twice, and examined, also, the count of such others as he chose, and when each gentleman was satisfied of the result, the report was made up and submitted to the House. So much for the first ballot.

The counting of the second ballot proceeded in the same manner, except that Mr. D. himself took down the numbers as returned.

The counting of the third ballot proceeded in the same manner as the second. After the votes had all been counted over three times, a mistake was discovered. He had put down one vote more for Mr. Evans than had been returned by Mr. Keen, or Mr. K. had returned one too many—he did not now remember which. The error was corrected, but suggested additional caution of his own part, and on the part of the committee, who were all reminded of the importance of making a count that should be correct. Members of the committee then revised the count of other members—the whole sum of the votes was stated, and finding that it agreed with the number of persons returned as in the House, the report was made out and submitted to the House. These were the facts, according to his recollections of them.

Mr. Keen of Augusta, said that the statements of the gentleman from Stow, were entirely correct. It was remarked in committee that the utmost caution should be exercised; and he did not know but the committee had been over cautious. It was hardly possible that there could have been errors, and he believed the members of the committee were honorable men and incapable of committing any wrong. He confessed he was startled at the result, but the probability of error was forbidden by the care and repetition of the count, which was made by the committee seated at one table, three on one side, two on the other, and each person as near to the other as he could be seated and count with facility.

Mr. Paine inquired of Mr. Keen whether he had not stated to him that there were opportunities for cheating?

Mr. Keen replied that he had so said, when speaking of what was possible—that it was possible for a person skilled in slight of hand, while the votes were passing from the Hall to the lobby, to abstract every vote from the box and fill the same with young mice. But that any cheating had taken place was in his mind out of the question, as he believed the members of the Committee to be honest men.

Mr. Kingsbury said that on the first ballot he voted for Wm. P. Fessenden. The vote was not returned. He called the attention of a friend to this fact, as had been stated by that friend, but had declined to mention the circumstance to the House, as it did not effect the result.

Mr. Keen would make an addition to his statement of facts. He saw one vote, he believed it was on the second ballot, which was illegitimately written and blotted. It was passed to him for inspection, and pronouncing it to be for W. P. Fessenden, he passed it back, and it was returned for that gentleman.

Mr. Davis also remembered that vote. It was torn, obscurely written, and blotted. It was deposited in Mr. Russ's box and by that gentleman handed to him for examination. He passed it to Mr. Keen who declaring it was for W. P. Fessenden, returned it. This was at the second ballot.

Mr. Kingsbury said that his ballot was plainly written.

Mr. Allen of Bangor recapitulated the facts of the case, and remarked, that the facts that no one person had examined the votes of all the rest, increased the possibility of error. He regretted that the ballots had not been all sealed up and returned to the House. Had that been done, the case would not have assumed its present aspect. But the person elected Senator would not desire to go to Washington with the imputation against the validity of his election, and should wish that the doubts that now hung over it might be dispersed.

Mr. Levensaler desired to call the attention of members to one feature of these allegations.—The gentleman from Bath (Mr. Magoun) had said that he had, on the third ballot, thrown a certain ragged and blotted vote for W. P. Fessenden. Now different members of the committee state that the vote corresponding precisely with his description, was received, examined and returned, by them on the second ballot. It would seem, then, that the gentleman from Bath was mistaken as to his vote, and thus an essential part of the allegation was dispensed. Here were conflicting statements. But whose memory was to be regarded? The unadvised remembrance of the gentleman from Bath, or the concurrent recollection of three gentlemen of the committee, corroborated by their report, which exhibited no votes for W. P. Fessenden on the third ballot.—He would add that it was not an improbable thing that a gentleman should be mistaken as to some of the particulars of three several ballotings. But what did gentlemen expect to accomplish by this investigation, if not the private purposes he had charged? Did they hope to raise such a clamor that the gentleman elected Senator would resign his seat and give them another chance to defeat his election? If so, they counted upon a degree of magnanimity that he apprehended, would not be exhibited.

Mr. Edgecomb of Vienna said he had the misfortune to have belonged to the Committee that counted the votes. He used the term misfortune because imputations had been heaped upon the committee of a kind which he termed black.—But he would forbear to reply such imputations and leave them to a candid and sober community for judgment. Mr. E. said he had been unable to detect any error in the statement submitted by the chairman. Especial care had been taken that the report should be made correctly. He had availed himself of every opportunity to satisfy himself of the correctness of the proceedings of the committee, had no doubt of their correctness, except that it was possible one vote might have been omitted. So far as the one vote of

which so much had been said he did not see it, but he recollected that it formed the subject of conversation in committee. The votes were counted over three times and he endeavored to satisfy himself they were correctly counted.

Mr. Allen inquired of Mr. E. whether he counted any votes other than those in his box.

Mr. Edgecomb said he doubted whether such questions ought to be entertained here; but would reply that he did not count all the votes.

Mr. Rogers of Kittery, (a member of the committee) corroborated the statements made by other members of the committee; was sure they were very careful in their proceedings, and believed he was safe in saying they were correct.

Mr. Friend of Etna, said it was not strange that those whigs who had worked hard to defeat the election of Mr. Bradbury should have a strong desire to discover those who bolted. And it was not strange that those who did bolt should wish to cover themselves from the assaults of their incensed friends. Hence the written statement of the 53 whigs which had made so much noise.—Mr. F. would make an assertion relevant to that point. On the afternoon of the balloting a member, who heard him now, stated to (Mr. F.) that there were whigs who voted for Mr. Bradbury and he knew them. Another fact,—he had learned on reliable authority, that one of the leading whigs, in the House, was recently heard to say "he was satisfied that some members of his party had bolted and lied about it; but he wanted them to go to h—l with the additional crime of purjury on their souls!" What wonder that such denunciations from leading whigs should make members of that party swift to disclaim their conduct?

Mr. F. said he saw no difficulty in accounting for the ballot giving for W. P. Fessenden. It had probably been returned for Samuel Fessenden and one of the abolitionists might have voted for Mr. Bradbury or thrown a scattering vote for another man.

Mr. Oak, of Garland, said that this could not be so, because he knew of five persons, including himself, who voted for Samuel Fessenden every time.

Mr. Russ (a member of the committee) concurred in the statements of fact submitted by his colleagues. On the last ballot, he counted the votes received by two others of the committee, together with his own, and another of the committee counted his. The messenger, also, stood by and counted after him, and could attest to the correctness of his return. The tallies all agreed. He also said, that yesterday he stated to the gentleman from Bath that he had an impression that on the first ballot there was a vote for Wm. P. Fessenden, and thought his minutes would show the fact if they could be found. The gentleman replied that he had sought for minutes which he exhibited, but his (Mr. R's) were not among them. Mr. R. then made search and found them upon the floor of the lobby. They showed a fact, which, though not very material, explained the history of one vote given for Wm. P. Fessenden on the first ballot. It appeared that the ballot was counted and minutely by himself, but that in making up the general count which Mr. Keene kept, it was included with those thrown for some other person. He had no doubt of the correctness of the proceedings of the committee, or of the truth of their report. He saw no vote for Wm. P. Fessenden on the last ballot, neither did he hear of any from other members of the committee.

Mr. Magoun said that on the last ballot he voted for Wm. P. Fessenden, as also on the second. This last ballot was on different paper from that on which his two first votes were written—was hastily written, torn, and blotted. He could not be mistaken about the vote, and detailed circumstances which confirmed his impressions.

Mr. Barnes said it was then admitted there were errors somewhere. The statement of the gentleman from Paris showed that one vote was miscounted, and the statement of the gentleman from Kingsbury, was positively confirmed. This showed that in other cases there might be errors. The gentleman from Bath was positive in regard to his vote, and the counter statements of the committee ought to be received with the allowance that they confounded the different ballotings and were more likely to be mistaken. The imputation of fraud in this case, might be laid aside. He had no desire to press it. But the House was authorized in agreeing that there had been mistakes. The question then came up, should the nature of the mistake be defined? Why, it belonged to the lowest ideas of justice, that mistakes should be corrected. The chance of an error's having been committed was not guarded against by the united care of the committee.—He was free to say that if each and all of them had counted all the ballots and made the same report, every mouth should be shut upon the subject; but they had no certain check upon each other, and the correctness of their count having been impeached, it was right and proper that there should be investigation. It would seem that there were five different boxes that contained ballots. Each of these boxes were examined by the member who carried it, and contained votes for several candidates. Hence there were some twenty-five little piles of votes laid out upon the table and counted by different individuals independently of each other. Now with all deference to the committee, and the gentleman who made the proposition to count in this way, it was the last mode which ought to have been adopted.—The most skillful accountant would be liable to commit errors under such a system.

Mr. B. said that he did not expect that this investigation would result in declaring the election of Senator void. That could not be done here. But we could enter into a scrutiny of the ballot, and could declare it to be correct or otherwise. At any rate this discussion was a valuable one to the people and the gentleman who had introduced the order which had elicited it, would be regarded as a public benefactor. A ballot would not again be so carelessly returned, or be placed beyond the scrutiny of the House.

Mr. B. said that the gentleman from Thomaston feared that this movement was but an attempt to apply the screws to some members of the whig party. This was not the case, for the whole 53 whigs were willing to waive their privileges and swear they voted for George Evans. Nor was their signing a paper a matter procured by solicitation. They did it voluntarily and without hesitation. Had they not done so, this order would not have been introduced. The gentleman might therefore dismiss his anxiety for any portion of the whigs. The argument of the gentleman from Etna was destroyed by the short statement of the gentleman from Garland, and the plea of the gentleman from Thomaston was destroyed by 53 whigs who ready to show that Mr. Bradbury did not get their votes. They claim to show there was an error. The Senator of record was not so strong but that the voice of 40,000 voters in this State would not be heard demanding that the ballot by which he claims an election shall be scrutinized, and the facts set right.

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Mr. Russ said that the inference of the gentleman from Portland relative to the votes having been put in 25 piles, was not true. The votes were laid on the table separately, with the writing up, so that, at a glance, every person could see them. There was also another error in the gentleman's statements. He had said that the course adopted by the committee was a new one, or something to that effect. Now Mr. R. remembered that in one of the first ballotings this session the gentleman from Hallowell (Mr. Otis) was on a committee with him, when the votes were counted in precisely this manner.

Mr. Edgecomb said he was willing for an investigation, but he doubted if it would be right to make it at the expense of the State.

Mr. Levensaler said that this whole discussion had only proved the facts which he had stated in the onset, and on which he had grounded his objection to this proposed investigation. All the information gentleman asked for, it was pretended they already had. What good would further labor produce? It was confessed that the election could not be disturbed. The statements of the committee had been had. It confirmed the correctness of the count, and all were satisfied that the committee were honest. Only one object remained, and that was, to find out how certain whigs voted. He would repeat, that such inquiries should be pursued in another place, and the privileges of members should remain undisturbed.

The discussion was further conducted by Messrs. Paine and Levensaler. Mr. Otis, of Hallowell, finally obtained the floor and was proceeding to speak at length, when he gave way to a motion to adjourn which prevailed.

Legislative Synopsis.

WEDNESDAY, July 21.

IN SENATE—The Senate proceeded to the consideration of the bill to establish a Board of Education in this State, the question pending when the Senate adjourned being on its passage to be engrossed. The bill was passed.

Bill in addition to the 16th chapter of the Revised Statutes, (Militia Bill) was called up and passed to be engrossed, 20 to 6.

Resolves relating to the war with Mexico, came up on their passage to be engrossed, and were referred to the committee on the militia, on motion of Mr. Allen.

Bills—additional to incorporate the city of Portland—making further provisions for costs, in cases of usury—in relation to fugitives from justice—were passed to be engrossed.

IN THE HOUSE—Mr. Farrar, of Baileyville, presented a bill for the removal of the seat of Government to Portland.

Resolve in favor of certain Officers and Soldiers of the Revolutionary War, and their Widows, was laid on the table.

Resolve in favor of Plantation Letter A. No. 2, in Oxford County, was passed to be engrossed.

THURSDAY, July 23.

IN SENATE—Mr. Pillsbury, from the Committee on Division of Counties, reported leave to withdraw on petition of John Stockbridge and others for a new County from parts of Franklin and Oxford. Accepted.

Mr. Barrett, from Committee on Insane Hospital, made a Report, accompanied by a Resolve making an appropriation for the Insane Hospital, and a Resolve in relation to taking a census of Insane Persons and Idiots in this State. 1000 copies were ordered to be printed.

Mr. Bellamy, from the Committee on Public Buildings, reported a recommendation that \$1000 be appropriated for the repair of the State House. Accepted.

IN THE HOUSE—Resolve in relation to the war with Mexico, was read once, and on motion of Mr. Levensaler, laid on the table.

The Liquor bill was taken up and passed by a vote of 85 yeas to 41 nays. [The vote of the members from this County stood as follows: Yeas, Davis, Holt, Munger, 3. Nays, Child, Frost, Hill, Holman, Russ, Taylor, Thayer, 7.] Several amendments were offered, all of which were rejected, and the bill passed the House just as it was reported by the Committee.

Bill to establish a Board of Education, was finally passed.

FRIDAY, July 24.

IN SENATE—Bill to restrict the sale of intoxicating drinks was received from the House. Eleven o'clock was assigned for its consideration. When the hour arrived several amendments were proposed by Mr. Hodgdon, and then the further consideration of the bill was postponed until Tuesday next.

The petition in relation to a road through Dunn's Notch to New Hampshire line, were referred to the next Legislature.

Mr. Bellamy, from the Select Committee to which was referred a bill ordering the removal of the seat of Government, reported the same without amendment. On motion of Mr. Pillsbury, the bill was laid on the table.

On motion of Mr. Perry, it was Ordered that Messrs. Perry, Haines and Bellamy, be a committee, with such as the House may join, to inquire and report when the Legislature may have a recess.

Bill to prevent imposition in the sale of medicines, was called up, the yeas and nays ordered on its passage to be engrossed, and a passage refused, 10 to 10. Subsequently Mr. Perry moved a reconsideration, the motion prevailed, and the bill was laid on the table.

IN THE HOUSE—Mr. Chadwick of Portland, from the Committee on Finance, reported a bill entitled an act to assess on the inhabitants of this State a tax of \$100,461 18 which was read and to-morrow assigned.

Mr. Otis, of Hallowell, called up the order relative to an investigation of the mode in which the ballot for U. S. Senator was conducted, on which a long debate ensued, which was not concluded when the House adjourned.

SATURDAY, July 25.

IN SENATE—The President being absent Mr. Dunn was chosen President pro tem.

Bills—to prevent imposition in the sale of medicines—to set off certain lands from Fryeburg to Sweden—were passed to be engrossed.

Bill reducing the salary of the Adjutant General, came from the House passed to be engrossed, and, on motion of Mr. Hodgdon, was laid on the table.

Mr. Allen, from the Committee on the Judiciary, reported a bill consenting to the purchase of land for the extension of the site of Fort McClary, and ceding to the United States jurisdiction over the same. The bill was read twice and passed to be engrossed.

Mr. Gure called up the Bill to amend chapter 160 of the Revised Statutes, ("Grave yard bill") and the same was referred to the Committee on the Judiciary.

IN THE HOUSE—The question under consideration, at the hour of the last adjournment, being the order, introduced by Mr. Paine, of Bangor, relative to the corrections of the ballots for U. S. Senator, Mr. Chadwick, of Portland, moved to lay it upon the table.

Mr. Sturdivant, of Cumberland, hoped no more time would be consumed in discussion upon this order, and opposed the motion, which failed, only a few members voting for it.

Mr. Norcross, of Charleston, moved the previous question, but subsequently withdrew the motion.

The question was then taken by yeas and nays, and the order was **INDEFINITELY POSTPONED**, yeas, 67, nays, 46.

Report on the petition of R. K. Goodenow and others, was laid on the table.

Bill providing for the removal of the seat of Government was read and laid on the table.

MONDAY, July 27.

IN SENATE—Mr. Perry, from the Committee on Militia, reported legislation inexpedient on an order relating to the reduction of the salary of the Adjutant General. Also, on an order directing inquiry in relation to granting 160 acres of land to each officer and soldier who may volunteer to serve in the war against Mexico. The reports were accepted.

Mr. Partridge, from the Select Committee to which was referred an order in relation to the regulation of the practice of medicine, reported legislation inexpedient. Accepted.

The Bill to establish a Board of Education in this State was passed to be enacted.

IN THE HOUSE—Bill to prevent imposition in the sale of medicines, was read, and, on motion of Mr. Barnes, referred to the Committee on the Judiciary.

Bill to set off certain lands from Fryeburg and annex the same to Sweden, was laid on the table.

Bills finally passed—to establish the York and Cumberland Rail Road Company—to authorize School Districts to borrow money for certain purposes—for furnishing Plantations organized for election purposes with Books and Maps.

TUESDAY, July 28.

IN SENATE—Bill relating to the competency of witnesses, came from the House amended and indefinitely postponed, and on motion of Mr. Allen was laid on the table.

Bill in addition to the act regulating the compensation of jailors for the support of prisoners in county jails, came from the House recommitted. The Senate adhered to its former vote indefinitely postponing the bill.

Bill to prevent imposition in the sale of medicines, came from the House referred to the committee, on the Judiciary. The Senate insisted on its vote passed the bill to be engrossed.

On motion of Mr. Perry, the Senate proceeded to the consideration of the bill restricting the sale of intoxicating liquors.

Mr. Haines spoke in favor of the bill. It had received the careful and anxious consideration of the committee, and had come from the House with only a few trifling and unimportant amendments. Although it might not be altogether objectionable to every one, it was the best bill

that could be reported, and he hoped it would receive a passage without amendment by the Senate.

Mr. Bronson addressed the Senate at length on the subject, but the crowded state of the columns of the paper will not permit the publication of his remarks at present. Mr. B. avowed his determination to vote for the bill, because the large number of petitioners, who called for the passage of some bill of the kind, expected it, although there were many serious and weighty objections to it. Mr. B. proceeded to notice the objections which existed, in his view, to many of the provisions of the bill, and which he feared would defeat the objects of the friends of temperance, though he trusted his fears would prove groundless. He should vote for it, if it was not amended (but thought various amendments were necessary,) trusting to the next Legislature to correct the evils which might result from some of its provisions. Mr. B. avowed his determination to offer an amendment providing for the postponement of its operations for a length of time, as an act of injustice to dealers who might have on hand a quantity of liquors purchased under the provisions of the laws now in force, so as to give them an opportunity to dispose of their stock in such manner as they might deem proper.

After Mr. Bronson had concluded his remarks Mr. Hastings moved that the subject be laid on the table, and the motion prevailed.

On motion of Mr. Porter of Somerset, Ordered, That the committee on claims consider and allow, if just a bill of Asa Bailey for certain services.

On motion of Mr. Knowlton, the Senate adj.

IN THE HOUSE—Finally passed—bills to incorporate the Doughty's Falls, Steam Manufacturing Company; imposing further penalties upon town officers; additional to an act to incorporate the Machias River Company; to incorporate the town of Monticello. Resolves, fixing the valuation of the town of Machias and Machias Port, and abate a portion of the taxes to the said towns of Machias and Machias Port. Resolve in favor of the plantation Letter A. No. 2, Oxford county.

The bill relating to hawkers and pedlers was taken up, the question being on the final passage. Mr. Morton of Bridgewater moved to indefinitely postpone the bill. The motion failed. It was then finally passed.

Laid on the table—report on order relative to the salary of the Adjutant General.

Bill in addition to the 16th chapter of the Revised Statutes was read the third time, amended in concurrence, and laid on the table.

WEDNESDAY, July 29.

IN SENATE—On motion of Mr. Humes, the Senate reconsidered its vote of yesterday, insisting on the passage to be engrossed of the bill to prevent imposition in the sale of medicines. The Senate then receded and concurred with the House in referring the bill to the committee on the Judiciary.

Mr. Allen, from the committee on the Judiciary, to which was referred the proceedings of the Legislature of Rhode Island in relation to the resolutions of the Legislature of Maine, reported a recommendation that the same be filed in the archives of the State. Accepted.

Bill to authorize school districts to borrow money in certain cases, came up on its passage to be enacted. Mr. Monroe moved its indefinite postponement. Lost—yeas 13, nays 13. The bill was then refused a passage, 12 to 13.

Bill relating to hawkers and pedlers came up on its passage to be enacted. Mr. Haines moved its indefinite postponement, and spoke in opposition to the prohibitory policy of the bill.

Mr. Hodgdon replied, urging the necessity of the bill for the protection of the people from the swarm of hawkers and pedlers who rove about the State in the shape of pedlers, and palm off their worthless articles upon the community. The necessity of the law had become more urgent from the fact that the laws of Massachusetts had had the effect to drive from that State a large class of pedlers into Maine. He viewed the evil which these persons, inflicted upon the community as greater than almost any other with which they had to contend.

Mr. Haines replied, and spoke of the convenience which was afforded to the people of the interior towns, by means of pedlers, who brought to the doors of the farmers many of the articles in use in families, and to whom he could be sold in this manner, better than he could by carrying it to the markets in the large towns.

Mr. Bellamy thought the time had come which required the passage of some law to do away the evils arising from the business of peddling. He was in favor of providing for a higher tax upon the license.

The question was then taken on the motion to indefinitely postpone, and decided in the negative, 4 to 21.

The bill passed to be enacted.

Finally passed—Resolves—for the payment of accounts against the State—in favor of Samuel Chedley—in favor of the towns of Canaan and Pittsfield—for furnishing Plantations organized for election purposes with books, and maps—in favor of Plantation Letter A. No. 2 Oxford County.

Bill to amend the 16th chapter of the Revised Statutes, came from the House, that body refusing to concur in its reference to the Judiciary Committee, and insisting on its vote passing the bill to be enacted. On motion of Mr. Haines, the Senate receded from its vote referring the bill, and on motion of Mr. Hodgdon, it was laid on the table.

Bill to restrict the sale of intoxicating drinks.

Mr. Hastings spoke in an able manner upon the temperance question, and in favor of the passage of the bill. He believed it would be sustained by the people, and have the effect to put an end to the business of rum-selling and stop the ravages of intoxicating drinks. Mr. H. replied to the exceptions to the bill yesterday taken by Mr. Bronson.

Mr. Barrett followed in an able vindication of the views of the committee and in defence of the bill. Mr. B. also commented upon the remarks of Mr. Bronson, and replied to his objections.

Mr. Gure spoke at length in favor of the bill

which he should vote for although it contained provisions which were not in accordance with his views. He believed the time had come for such a bill, and that the people expected it and would sustain it.

The amendments adopted in the House were then concurred in by the Senate.

Mr. Hodgdon said he had offered various amendments, so that he could vote for it. But upon further examination and reflection, he had come to the conclusion that he could not, in any event, vote for the bill—and he therefore withdrew his proposed amendments.

Mr. Monroe moved to amend so as to provide that the bill should go into effect on the 15th day of January next. Lost, 13 to 13.

Several amendments were proposed, and rejected. Mr. Holden moved to amend so that the balance of any monies recovered by a creditor of any dealer in intoxicating drinks shall be paid to the purchaser. The amendment prevailed, yeas 15, nays 5.

Mr. Redington proposed several verbal amendments, which were adopted.

The question then returning on the passage of the bill to be engrossed, it was further discussed by Messrs. Bronson, Redington, Thurston and Barrett.

The question was then taken, and the bill passed to be engrossed, yeas 23, nays 6.

IN THE HOUSE—The House receded and concurred with the Senate in indefinitely postponing the bill relative to the compensation of jailors.

Read and to-morrow assigned—Bill to incorporate the Telos Canal Company. Bill to incorporate the Lake Telos and Webster Pond Dam and Shuteaway Company, was read the third time, and ordered to be printed.

Passed to be engrossed—Bill granting appeals from the decision of County Commissioners.

The State tax was taken up. Mr. Getchell moved to recommitt, with a view to altering the tax of Anson and North Anson. Mr. Barnes advocated this motion. Messrs. Levensaler, and Chadwick opposed the motion which failed 45 to 61. Mr. Marston of Mt. Vernon moved to refer the bill to the next Legislature, believing the assessment to be premature. Mr. Chadwick explained the necessity of the tax. The discussion was continued by Messrs. Allen, Barnes, Marston, Adams, Thomas and Getchell in favor of the motion, and by Messrs. Chadwick, Levensaler and Magoun against it. The bill was passed to be engrossed 64 to 52.

Mr. Kingsbury by leave, laid on the table a resolve in relation to the expenditure of money by the State on roads, which was read and to-morrow assigned.

Mr. Barnes, by leave, laid on the table a bill to change the name of the Portland Iron Manufacturing Company, and to enlarge the power of the same.

Resolve relating to a war with Mexico, was taken up and referred in concurrence.

The bill additional to the 16th chapter of the Revised Statutes, (militia bill) was taken up.

Mr. Levensaler moved to amend by providing that the salary of the Adjutant General should be fixed at \$590, and that this should be in full for all services, including clerk hire. The amendment was adopted.

Mr. Chadwick of Portland, spoke against the bill, and Mr. Thompson of Unity in favor of it.

Mr. Davis of Stow, spoke against the bill. He said that the repeal of the old militia system was effected by the votes of three to one of the Legislature, and that the result was one most satisfactory to the people. He held that it would be presumption now to revive that system, when no petitions had been sent in from the people recommending it.

Mr. Hill of Moscow, moved to amend the bill by striking out all except the provision requiring an enrolment. The motion prevailed 67 to 24.

The last motion cut off the amendment relative to the salary of the Adjutant General, and Mr. Levensaler receded, it limiting the salary to \$400. The amendment was adopted. In this form the bill was passed to be engrossed.

Mr. Blake of Camden, from the committee on claims, reported a resolve in favor of Moses Hammond, and a resolve in favor of James Irish, which were severally read and to-morrow assigned.

THURSDAY, July 30.

IN SENATE—Bill to amend the 16th chapter of the Revised Statutes, (militia bill) came from the House amended, and passed to be engrossed. On motion of Mr. Knowlton, the bill was laid on the table.

Mr. Perry from the committee appointed to enquire when the Legislature may take a recess, reported that both branches of the Legislature may adjourn on Thursday, the 6th day of August next. Accepted.

Bill to amend chapter 160 of the Revised Statutes ("Grave Yard bill") was called. On motion of Mr. Gure the Senate reconsidered its vote of yesterday concurring with the House in referring to refer the same to the committee on the Judiciary. Mr. Gure moved that the Senate insist on its vote referring the bill. The motion did not prevail. Mr. Hodgdon moved its indefinite postponement. On this motion the yeas and nays were taken and were yeas 13, nays 11.

So the bill was indefinitely postponed.

Bill to authorize school districts to borrow money for certain purposes, came from the House that body insisting on its vote passing the bill to be enacted and upholding conference. The Senate joined to the conference, Messrs. Allen, Porter of Somerset, and Hastings.

Resolve for an amendment of the constitution in relation to the choice of Representatives to the Legislature. The question being on the adoption of the amendment proposed by Mr. Bronson, which provides for the election by a plurality of votes on the first trial.

Mr. Barrett opposed the adoption of the amendment and favored the passage of the resolve as reported by the committee, who were unanimously with the exception of one in its favor. Mr. Hodgdon opposed the amendment and the resolve. He had, at first view felt inclined to vote for it, but upon further reflection, he had come to a different conclusion. He had voted in favor of the plurality system in the election of

Representatives to Congress, and did not regret the vote. But that change was only an alteration in the law and required no change in the constitution. If it was found not to work well, it was easy to restore the original system. He preferred therefore, to wait and ascertain the operation of that law, before going further. In the election of Representatives to the Legislature, new trials must be had within short periods; but in the election of Representative to Congress, it could not be so, and therefore, more difficulty was experienced in bringing voters to the polls, from the fact that they were more liable to be absent at subsequent trials. The objections to the majority system in the election of Representatives to the Legislature, did not apply with so much force as in the election of Representatives to Congress. Mr. H. further pointed out the objections to the proposed change, and opposed the resolve.

Mr. Barrett favored the resolve. The repeated failures to elect in Representative classes, seem to require some change in the system. He believed that people were ready to adopt the system proposed in the resolve, and he desired that the question should be submitted to them. Mr. B further favored the change.

Mr. Lathrop made a few remarks in favor of the amendment.

The amendment proposed by Mr. Bronson, was then rejected 7 to 17.

The question returning on the passage of the resolve to be engrossed, Mr. Bellamy made some remarks in opposition. He was opposed to the frequent effort to amend the constitution, and satisfied with that instrument as it is. The people had not asked for the proposed change, the proposition having originated in this body. He believed it was unequalled for, and that when the people desired it their petitions would find their way to the Legislature. He was willing to risk his own election, or the election of his friends upon the majority system as at present existing.

Mr. Barrett said it was not unusual to act upon important questions like that before the Senate without petitions from the people. He believed they desired an opportunity to effect the change proposed, and that the result of such change would be salutary and satisfactory. The plurality system works well in other States, and he could see no reason why it might not in this State. Mr. B further spoke in favor of the resolve.

The resolve was then refused a passage yeas 11, nays 13.

Mr. Thompson, by leave, laid on the table, a resolve appropriating \$250 for the erection of a gun house in Livermore. Read once and to-morrow assigned.

Mr. Perry, from the Joint Select Committee to which was referred several petitions in relation to the establishment of this State, of an Asylum for the education of the Deaf and Dumb, made a report favorable to the establishment of such an institution at some future day, accompanied by a resolve providing for taking a census of the deaf and dumb in this State, as a preliminary measure necessary to furnish the facts required to be in the possession of the Legislature before considering the question of its actual establishment. The resolve was once read and to-morrow assigned, and the petitions were referred to the next Legislature.

FRIDAY, July 31.

IN THE HOUSE—Bill to set off part of Fryeburg to Sweden was taken up. Mr. Davis of Stow moved to assign Tuesday for its consideration, for the purpose of procuring information upon the merits of the bill. Messrs. Levensaler, Magoun and Marston opposed the motion as calculated to delay action upon the bill unnecessarily. Mr. Hill of Moscow advocated the motion, but the House refused. To-morrow was then assigned.

Bill providing for the removal of the seat of government from Augusta to Portland was taken up. Amendments were made on motion of Mr. McLellan of Gorham providing that the city of Portland should provide more convenient buildings for the accommodation of the government than those already in use.

Mr. Smith of St. Albans moved to amend by restoring the present State grounds to the original donors.

The amendment was advocated by Messrs. Keene and Levensaler, and opposed by Messrs. Davis Sturdivant and Burnham. The motion failed.

Mr. Friend moved to strike out Portland and insert Bangor. Mr. Haviland moved to amend the amendment by striking out Bangor and inserting Moosehead Lake. Both amendments failed.

Mr. Burnham of Kennebecport moved to refer the bill to the next Legislature. Lost—46 to 64.

Mr. Gould of Wilton then spoke against the bill. Messrs. Day of Bristol, Burnham of Kennebecport and Hayden of Eastport were also opposed. Mr. Sturdivant advocated the bill. Mr. Thomas thought it would be well to go to Portland, because a House of Correction has recently been established there.

Mr. Lamson of Troy moved to postpone the bill indefinitely. This motion prevailed, yeas 68, nays 59.

The Liquor bill was amended in concurrence. Mr. Norcross moved to amend by providing that the bodies of all vendors of spirituous liquors shall, after their decease, be delivered over to the physicians for the advancement of anatomical science. Lost.

Mr. Hill of Moscow moved to strike out twenty-eight gallons where it occurred in the bill, and insert twenty-eight hogheads. Lost.

The bill then passed to be engrossed. The militia bill was returned from the Senate that body insisting on its former vote. Mr. Hayden of Eastport moved that the House adhere. The motion prevailed, 86 to 0.

The House insisted on its vote passing the bill to amend the 16th chapter of the revised statutes, proposed conference, and appointed Messrs. Thomas, Treat and Lemont conferees.

BANKS AND BANKING.

The Committee on banks and banking, in the Maine Legislature, having had under consideration the petitions of sundry banks for a renewal of charter, ask leave to Report—

That by the existing laws of the State, the charters of all banks expire the first Monday of October, one thousand eight hundred and forty-seven, and that justice to them as well as to the business community, would seem to require, at the present session of the legislature, an indication of the future policy of the State upon this important subject.

The use of paper money has become so associated with the habits and prejudices of the people that a return to the constitutional currency, however desirable, would at this time and under existing circumstances, be utterly impracticable. The several States claim and exercise the right of incorporating banks within their limits, for the purpose of furnishing a paper currency. Until the constitution shall have been revised and this immense power ceded to the general government, the efforts of individual States to correct the evils incident to our banking system, will be unavailing.

The committee do not question the fact so often demonstrated that a paper currency gives a fictitious value to all the exchangeable products of a nation. That it sooner or later, neutralizes the effect of discriminating duties upon domestic manufactures by advancing the price of all the agents of production, and that its inevitable tendency is to turn the balance of trade against a nation, by enhancing the price of articles of export, thereby enabling others to undersell it in the markets of the world. They are also aware that a paper system is subject to sudden contractions and expansions, which change to a ruinous degree, the relative conditions of debtor and creditor; but at the same time, they cannot forget the utter inability of a single State to regulate the currency of the Union. The most we can hope to do is to ensure the redemption of the bills of our own banks, and impose such restrictions as will check local fluctuations.

The committee are of the opinion that our present banking laws are comparatively safe and experience shows that no losses to bill holders have occurred the last fifteen years, where a reasonable discretion was exercised by the legislature in granting charters. The Revised Statutes contain several salutary provisions not embraced in the banking law of eighteen hundred thirty-one, and it is believed, with a due vigilance on the part of bank commissioners, and a rigid enforcement of the proposed law, the redemption of all bills will be effectually secured.

To guard against local fluctuations, they introduce a clause providing that all banks shall have always on hand, one dollar in specie, to every three dollars in bills they may issue beyond fifty per cent. of the capital stock. It will be seen by looking over the returns of banks a few years past that fifty per cent. of the capital stock is a very moderate circulation, and up to that point no specific specie balance is required.

In some parts of the State, this provision would, in practice, have very little effect; but in those sections most inclined to inflation it would operate as a serious check. The average circulation of the banks of Maine, in April last, amounted to about seventy-five per cent upon their capital stock, and the specie on hand, if equally distributed, would have been very nearly the sum now contemplated. In some sections, however, with a small amount of specie, the circulation was up to, and even beyond the chartered limit, and would have received a salutary check from the operation of the law herewith submitted.

The banks can have no reasonable cause for complaint on account of these new restrictions; and the community, it is believed, when they consider the difficulties attending all sudden changes in the currency, will be satisfied with the law here proposed, establishing as it does, the principle of a specie basis, which may, if necessary, be hereafter enlarged.

All of which is respectfully submitted.

JOHN HODGDON, Chairman.

AN ACT additional in relation to banks and banking.

Be it enacted &c. Sec. 1. The charters of all banks now incorporated or which may hereafter be incorporated within this State, are hereby extended to the first day of October in the year of our Lord one thousand eight hundred and fifty-seven, subject to the provisions of this act and all existing acts upon the subject of banks and banking.

Sec. 2. All banks accepting a renewal of charter, subject to the restrictions, limitations, and penalties of this act, shall give written notice of such acceptance, to the secretary of State on or before the first day of May, in the year of our Lord one thousand eight hundred and forty-seven.

Sec. 3. No bank now incorporated or which may hereafter be incorporated within this State, shall issue and put in circulation as money, bills to the amount of more than fifty per cent. of its capital stock actually paid in, unless said bank shall have in its vault, at the time of such issue, one dollar in specie for every three dollars in bills, so issued, over and above fifty per cent. of its capital stock; nor shall this circulation of any bank within the State, at any time, exceed the amount of its capital stock paid in, and the specie in its vault.

Sec. 4. Weekly balances shall be made by the cashier of banks, exhibiting the amount of specie on hand, and the amount of bills in circulation; and it shall be the duty of the bank commissioners, at their annual examination to note all over issue shown by such balances, and report the same to the governor and council.

Sec. 5. Every bank now incorporated, or which may hereafter be incorporated in this State, shall forfeit and pay for the use of the State, ten per cent upon the amount of bills it shall at any time issue with intent to evade the provisions of this act, put in circulation over and above the amount authorized by the 3d section of this act; and said forfeiture may be sued for and recovered in the name of the treasurer in an action on the case, in the supreme judicial court.

Sec. 6. Whenever by the annual report of the bank commissioners, or otherwise, it shall appear that any bank has put in circulation a larger amount of bills than authorized by this act, it shall be the duty of the secretary of State to notify the attorney general of the fact, who upon the receipt of said notice, shall forthwith

